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(PATENT)  
Customer Number 32127

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE RECEIVED  
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In re Application of:  
John H. Wurster *et al.*

MAR 08 2005

Application No.: 10/632,803

Group Art Unit: 2642

Filed: August 4, 2003

Examiner: Rasha S AL-Aubaidi

For: TELEPHONE NETWORK CONTROL  
SYSTEM AND METHOD

## AMENDMENT UNDER 37 C.F.R. §1.111

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed December 16, 2004, please amend the instant application as shown on the following pages.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begins on page 8 of this paper.

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(PATENT)

which is conformable to a ground surface of varying slope not suggested by combination of prior art references).

It is well established that, even if all aspects of the claimed invention were individually known in the art, such is not sufficient to establish a *prima facie* case of obviousness without some objective reason to combine the teachings of the references. *Ex parte Levingood*, 28 U.S.P.Q.2d 1300 (Bd. Pat. App. & Inter. 1993). It is, therefore, incumbent upon the Examiner to provide some suggestion of the desirability of doing what the inventor has done in the Examiner's formulation, imposition and maintenance of a rejection under 35 U.S.C. 103(a). "To support the conclusion that the claimed invention is directed to obvious subject matter, either the references must expressly or impliedly suggest the claimed invention or the Examiner must present a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references." *Ex parte Clapp*, 227 U.S.P.Q. 972, 973 (Bd. Pat. App. & Inter. 1985).

In summary, claims 1 – 26 are now considered to be in condition for allowance. Favorable reconsideration of the application, as amended, and an early notification of allowance are respectfully requested.

Payment for the addition of new dependent claims 21 – 26 accompanies this Amendment. If any other or additional fee is due, please charge our Deposit Account No. 07-2347 from which the undersigned is authorized to draw and please credit any excess fees to such deposit account.

Respectfully submitted,



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Date: March 8, 2005